

MINUTES
OSTEOPATHIC PHYSICIAN LICENSING BOARD
May 1, 2001
ROOM 427 – Heber Wells Building

Convened: 10:15 am.

Adjourned: 11:32 am.

Division Staff Present:

Director of Commerce
Director of DOPL
Asst. Director of DOPL
Bureau Manager
Board Secretary

Ted Boyer
J. Craig Jackson
Laura Poe, RN, MS
Daniel T. Jones
Lee Avery

Members Present:

Jeffrey Brown, DO, Chairperson
Judith S. Moore, DO
Allan Edson, DO
Jeffrey Brown, DO
Robert E. Strong, DO
R. Hector Grillone

Minutes for January 9, 2001:

Minutes for January 9, 2001 were reviewed and approved with corrections.

TOPIC OF DISCUSSION:

Introduction:

DECISIONS & RECOMMENDATIONS:

Mr. Jones introduced Ted Boyer, Executive Director of Commerce and Mr. Jackson, Director of Occupational and Professional Licensing to the Board.

Mr. Boyer gave a brief introduction of himself and advised the Members how much their work with the Board is appreciated. Mr. Boyer also advised the Board of the direction the Division is moving towards.

Bob Downard
Investigations

Mr. Downard presented himself to the Board. Mr. Downard advised the Board how investigations are conducted in general. Mr. Downard advised the Board, he has had

very little interaction with osteopathic physicians. The few interactions there have been were because the prescription practice and maintaining prescription records were inadequate. Dr. Brown inquired about the internet sale of prescriptions and the problems relating to this. Mr. Downard stated Mr. Jackson and Ms. Poe are aware of the problems. Mr. Downard also advised the Board the Investigators are assigned to spot check the web sites.

Dr. Brown asked if it is lawful to keep a list of patients who seek drugs. Mr. Downard stated it is totally ethical and legal. Dr. Edson asked if it would be ethical for one physician to contact another physician on a specific patient list and advise this physician this patient is "doctor shopping". Mr. Downard stated Utah has a law that addresses this. It is appropriate for one doctor to contact the other doctors relating to an individual patient. It is not appropriate for a doctor to contact doctors in general and advise them a specific person is "doctor shopping". Mr. Downard stated doctor shopping is a 3rd degree. Felony. The law places the affirmative duty on the patient to advise all doctors of all medications they are receiving from other doctors.

Mr. Downard advised the Board if they do have someone who is doctor shopping the doctor needs to contact: #1 DEA, #2 Division Investigations #3 the local Police Department.

Ms. Poe advised the Board when a doctor obtains the printouts from the controlled substance data bank, the printouts need to be kept in a separate file. Mr. Jackson stated if the printouts were kept in the patients charts, they can be subpoenaed. It would be ok to put a note in the file, they just cannot put the actual printout in the file.

Mr. Edson, asked Mr. Downard to give a lecture at the September convention in Midway.

Dr Edson
FSMB Convention

Mr. Edson stated he went to all the lectures at the convention. This was a very informative conference. There were 3 specific areas covered:

1. Lecture on managing impaired physicians. Most common problem is alcohol and drug abuse.

2. Pain Management

3. Center for professional help, rehabilitation for impaired physicians.

Dr. Edson stated he is willing to share the information he received from the convention to anyone who wants to review it.

Dan Jones
Quality Review:

Quality review has been removed from the statute and will be removed from the rule. We still encourage all physicians to continue with quality review.

Letter from Zenovia Qualliotine

Mr. Jones advised the Board he received a letter from Zenovia Qualliotine for the Boards review regarding on-line education and if the Board will recognize and accept it. Ms. Poe suggested the Board responds to the letter according to the AOA criteria, adding this Board does not license Physicians. Ms. Poe Board stated on-line education will need to address eventually.

Dr. William Mauer

Ms. Moore advised the Board she researched the complaints against Dr. Mauer. She found out there were seven (7) complaints

1-4 were related to alternative therapy

5 Hired unlicensed person (son) to help in the clinic

6. A patient lost a leg due to therapy he

decided to use.

7. He did not renew license in time and was practicing without license. Ms. Moore stated he had been fined large amounts. Mr. Jones advised the Board he has talked with the Chairperson in Illinois. They have many accusations against Mr. Mauer, and has issued his license anyway. They will not advise us of any pending accusations. The State of Utah cannot delay licensure because of pending accusations.

Next Board Meeting:

The next meeting is scheduled for
November 5, 2001 at 10:00 am

Date Approved

Osteopathic Physician Licensing Board
Chairperson

Date Approved

Bureau Manager, Div. of Occupational &
Professional Licensing

Osteopath to/do list for Dan

1. . Ms. Poe suggested the Board responds to the letter according to the AOA criteria, adding this Board does not license Physicians. Ms. Poe Board stated on-line education will need to address eventually.